

Resolution No.: 11-01-14

Introduced: 11-10-14

Adopted: _____

Effective: _____

BOARD OF MANAGERS
FOR
CHEVY CHASE VILLAGE, MD

SUBJECT: AN ORDINANCE TO AMEND CHAPTER 3, "PERSONNEL CODE", SEC. 3-4, "PERSONNEL COMMISSION" TO AMEND THE DUTIES OF THE COMMISSION

WHEREAS, §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, authorizes the Board of Managers to adopt such ordinances as it deems necessary to assure the good government of Chevy Chase Village; to protect and preserve the rights, property and privileges of the Village; to preserve peace and good order; to secure persons and property from danger and destruction; and to protect the health, comfort and convenience of Village residents; and

WHEREAS, Section 77-14(a) of the Chevy Chase Village Charter authorizes the Board of Managers to adopt such ordinances as it deems necessary for the safety and welfare of Chevy Chase Village; for the protection and preservation of Chevy Chase Village property, rights and privileges; for the preservation of peace and good order and for securing persons and property from violence, danger or destruction; and for the suppression and abatement of all nuisances; and

CAPS

[Brackets]

Asterisks * * *

CAPS

[Brackets]

: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

:Indicate matter added in amendment

:Indicate matter deleted in amendment

WHEREAS, after proper notice to the public, the Board of Managers conducted a public hearings at which it considered the following ordinance in public session assembled on the _____ day of _____, 2014; and

WHEREAS, the Personnel Commission is a three-member entity which has both advisory and quasi-adjudicative functions with respect to actions involving Village employees; and

WHEREAS, the Board has received and reviewed the report of the Board Task Force on Committees with respect to the duties of the Personnel Commission; and

WHEREAS, the Board Task Force on Committees has recommended that the Personnel Commission retain its adjudicatory duties with respect to appeals of decisions by the Village Manager and claims of discrimination by employees, but that the advisory function of the Commission should be deleted as no longer necessary; and

WHEREAS, the Board has determined that it is in the public interest to accept and enact the recommendations of the Board Task Force on Committees with respect to the deletion of the advisory function from the duties of the Personnel Commission.

NOW THEREFORE, the Board of Managers of Chevy Chase Village does hereby adopt the following ordinance:

AN ORDINANCE TO AMEND CHAPTER 3, "PERSONNEL CODE", SEC. 3-4, "PERSONNEL COMMISSION" TO AMEND THE DUTIES OF THE COMMISSION

SECTION 1.

BE IT ORDAINED AND ORDERED this _____ day of _____, 2014, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, and Section 77-

14 of the Village Charter that Chapter 3, "Personnel Code", Sec. 3-4, "Personnel Commission"

be repealed, re-enacted and amended to read as follows:

Sec. 3-4. Personnel Commission.

(a) There shall be a three-member personnel commission. The members shall serve for three year terms or until a successor has been appointed, except that the initial appointments shall be for one (1) year, two (2) years and three (3) years, so that the members terms shall be staggered. Each year the chairman of the Board of Managers shall designate one (1) commission member as chairman of the commission. Membership on the commission shall be restricted to qualified voters of Chevy Chase Village who are not Village employees and who are not elected officials of the Village.

(b) The members of the personnel commission shall familiarize themselves with the Village personnel code and regulations and procedures adopted pursuant thereto.

(c) ~~[The personnel commission shall, from time to time, make recommendations to the Village Manager or Board of Managers to promote the efficiency and effectiveness of the Village civil service.]~~

~~(d)]~~ The personnel commission shall hear appeals pursuant to section 3-27 of this chapter.

SECTION 2.

AND BE IT FURTHER ORDAINED AND ORDERED, this ____ day of _____, 2014, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, and Section 77-14 of the Village Charter that:

- (1) If any part of provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part of provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and
- (2) This ordinance shall take effect on the ____ day of _____, provided the same is posted at the Village Office for fourteen (14) days prior thereto, subject to approval by the State Ethics Commission.

CHEVY CHASE VILLAGE

Michael L. Denger, Chairman
Board of Managers
Chevy Chase Village

ATTEST:

Richard Ruda, Secretary